

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

RANDY BLAKE PATTERSON,)	
)	
Plaintiff,)	
vs.)	NO. CIV-15-1204-HE
)	
NATIONAL BOARD OF MEDICAL)	<u>TRIAL DOCKET: DECEMBER, 2016</u>
EXAMINERS,)	
)	
Defendant.)	

REVISED SCHEDULING ORDER

■ JURY TRIAL DEMANDED - □ NON-JURY TRIAL

THE FOLLOWING DEADLINES ARE SET BY THE COURT:

1. Motions to join additional parties to be filed by 02/07/2016.
(b) Defendant to file a **final exhibit** list and any exhibits not previously submitted **fourteen (14) days** thereafter.*
2. Motions to amend pleadings to be filed by 02/07/2016.
3. (a) Plaintiff to file a **final** list of **expert witnesses(es) in chief** and **submit expert reports** to defendant by 07/15/2016.*
(b) Defendant to file a **final** list of **expert witness(es) in chief** and **submit expert reports** to plaintiff by 08/01/2016.*
*The listing of witnesses and exhibits shall separately state those expected to be called or used and those which may be called or used if the need arises. Except for good cause shown, no witness will be permitted to testify and no exhibit will be admitted in any party's case in chief unless such witness or exhibit was included in the party's filed witness or exhibit list.
4. (a) Plaintiff to file a **final** list of witnesses together with addresses and brief summary of expected testimony where a witness has not already been deposed by 08/01/2016.*
(b) Defendant to file a **final** list of **witnesses** (as described above) **fourteen (14) days** thereafter.*
5. (a) Plaintiff to file a **final exhibit** list by 08/01/2016.*
6. Discovery to be completed by 09/01/2016.
7. All dispositive and *Daubert* motions to be filed by 09/15/2016.
If the deadline for dispositive motions and *Daubert* motions precedes the discovery deadline, the parties are expected to conduct any discovery necessary for such motions in advance of the motion deadline.
8. Trial Docket **DECEMBER, 2016**.**

****Trial dockets generally begin the second Tuesday of each month. However, this practice varies, particularly during holidays. The setting or sequence of trials in both criminal and civil cases is ordinarily determined at docket call.**

The interval between the dispositive motion deadline (§ 7) and the trial docket (§ 8) is relatively inflexible. An extension of time to file or respond to a motion for summary judgment will likely affect the trial setting.

9. Designations of deposition testimony to be used at trial to be filed by 11/01/2016. Objections and counter designations to be filed by 11/15/2016.
10. Motions in limine to be filed by 11/15/2016.
11. Requested voir dire to be filed by 11/15/2016.
12. Trial briefs (optional unless otherwise ordered) to be filed by 11/15/2016.

13. Requested jury instructions to be filed on or before 11/15/2016.***

14. Proposed findings and conclusions of law are to be filed not later than .***

*****In addition to filing, the parties are encouraged, but not required, to submit their proposed jury instructions or findings of fact and conclusions of law in WordPerfect format to the Clerk via the Court's designated mail box: www.heaton-orders@okwd.uscourts.gov.**

15. Responses to motions in limine shall be filed within **fourteen (14) days**. Any objection or response to the trial submissions referenced in 11, 12, 13, or 14 shall be filed within **seven (7) days**.
16. The Final Pretrial Report, approved by all counsel, and in full compliance with Local Rules (*See Appendix IV*), together with a proposed order approving the report, to be submitted to the Court by 11/15/2016.

17. This case is referred to ADR:

- ☐ by agreement of the parties, with the approval of the Court:
- ☒ by Order of the Court:
 - ☒ Mediation
 - ☐ Judicial Settlement Conference
 - ☐ Other: _____

If the case is referred to mediation, the process shall be completed and a report filed with the Court by the parties, stating whether the case settled, not later than 08/01/2016.

18. Notwithstanding LCvR16(a), this case will not be automatically set for judicial settlement conference. The court will, however, ordinarily order such a conference if the parties file a joint motion requesting same within 7 days after the trial docket is published. The motion shall provide reasons justifying the commitment of court resources to the settlement process and shall describe the efforts of the parties to effect an agreed resolution of the case by direct discussions or otherwise. The court may order such a conference upon the motion of a single party filed within that time period, but any such motion must make a particularly strong showing of the need for a judicial conference and shall state why a joint motion has not been made.

19. ☐ The parties consent to trial by Magistrate Judge.

20. Initial disclosures pursuant to Fed.R.Civ.P.26 have been made ☐; are excused ☐; or ☐ shall be made not later than _____.

21. Other: _____
_____.

Dated this 7th day of July, 2016.

**BY ORDER OF THE COURT
CARMELITA SHINN, CLERK OF COURT**

By: s/Lisa Minter
Deputy Clerk

Copies to all parties